

From: Walter Scott

Sent: Sunday, November 30, 2003 7:16 AM

To: adoptionregs@state.gov

Subject: Hague Comments

I am an adoptive mother and feel strongly that we should have a say in what we like and what should stay or be revised in the document. I understand that many agencies are intimidated by the Hague, however, it SHOULD be done with the best interest of the children in mind and not the agencies.

Attached are my comments. The DOS site was confusing about whether I need to send hard copy in addition to this email. I would greatly appreciate any clarification on this matter. In the event that I do need to send it, to what address would it go?

Thank you for allowing we adoptive parents to have a say.

Kim Scott

96.30-33- in 96.32 (a) ALL agencies AND individuals need to have the education, experience and mgmt credentials, not just for agencies. These standards need to be in place to protect all 3 parties in the adoption triad. (Birthparent/Adoptee/A-parent.) This standard not applying to individuals is wrong. I know of people that were working as individuals in both Cambodia and Viet Nam and they should have been held to these standards.

96.34- I would suggest that in addition to normal and customary wages for employees, there be no bonus money awarded for work done, children placed, etc. Do the fees for service not constitute incentive fees? This needs to be clearly defined. Otherwise, it will end up being manipulated into fees per child brought in, etc.

96.34 d and e are good and need to be left in. Wages/fees/salaries should be somewhat uniform. If all are providing like services, are non-profit and working in the same counties, countries, etc., they should be paying employees and issuing fees that are reasonably alike.

96.35 This is good. There should be a central location to check real references on an agency/facilitator. As a prospective adoptive parent, there is nowhere to look to find out if a given agency is on the up and up. We had to search through the internet for hours. We checked with the BBB, but most agencies have a main office in one state and different country programs in other states. Most unhappy adoptive parents do not report the services to the better business bureau.

Also, we have a right to know who the in country representative is for a given agency. It should not be considered a secret. Too many agencies hide behind this cloak when they have a less than ethical representative in country.

96.36 a) This seems awfully vague. I would like to see tighter controls. Possibly a central organizing authority to verify relinquishments before a child is placed in an adoption related orphanage. The non-uniformity of the "reasonable payments" by countries opens a can of worms to what can constitute these reasonable payments. Why is medical care and food considered reasonable in one country when a bag of rice in another is considered a payoff?

b) This will not work. Training employees not to move into "gray" areas is akin to handing teenager keys to the car and telling them not to speed. That is not to say that all representatives are unethical, rather it allows an unethical agency to do what they want to do.

96.38- This is good. It needs to be implemented. Too many agencies feel they have completed their job when a child arrives on U.S. soil. The training provided needs to be uniform and consistent throughout the adoption community. Too many agencies do what they can to get a child home and do not have further contact with the child/family. Counseling/education needs to be extended past the time the child gets off of an airplane. All children go through a grieving process and it is the job of the social workers, agencies and families to address and deal with these issues.

- 96.39- A)3) Clients have a right to know who is working on their behalf in country. Do not take this part out!
- 96.40- (a)1) Disclosure of fees needs to be broken down and the agency needs to be fully accountable for any fees over the usual and customary fees for the given country.
- 96.41- Again, there are wide variations between agencies and in country fees for the same country. These need to be itemized. Why should one non-profit agency charge \$16000 for an adoption when another charges \$10500? This type of thing raises a red flag with me.
- 96.41 Complaints should be made to the complaint center and then referred to the agency. Too many agencies blame unhappy outcomes on emotional parents.
- 96.42 Records should be kept for a reasonable life expectancy. They should always be available to the child, and both adoptive parents and birth parents.
- 96.45 The agency needs to held somewhat accountable to the actions of the facilitator. If the agency does not trust the facilitator, they should not work with her/him. There needs to be some accountability on the agency's part.
- 96.46 a)4) Does this cover a facilitator losing the right to practice in one country then moving to another country to set up shop?
- b)3) Who decides what reasonable payment for activities related to adoption proceedings are?
- c)1) agencies need to have enough trust in the facilitator that they assume responsibility